

Forest Service

CHARTER

1. Committee's Official Designation

Secure Rural Schools Resource Advisory Committees.

The Federal advisory committees referenced in this charter are collectively known as Secure Rural Schools Resource Advisory Committees (RACs). The official designation (title) of each RAC and its estimated annual operating expenses and staff support are shown in an addendum to this charter.

Each Secure Rural Schools RAC shall operate in accordance with this charter. This charter and its addendum shall be filed by the Committee Management Officer with the Secretary of Agriculture, the appropriate Congressional committees, the Library of Congress and the General Services Administration's Committee Management Secretariat and posted for each committee in the Committee Management Secretariat's Federal Advisory Committee Act (FACA) data base.

2. Authority

Each Secure Rural Schools RAC is established pursuant to the Secure Rural Schools and Community Self-Determination Act of 2000, 16 U.S.C.A. 7125, hereafter referred to as the Act, and in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C., App.2.

3. Objectives and Scope of Activities

The purpose of each RAC is to improve collaborative relationships among the people that use and care for the National Forests and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act.

4. Description of Duties

Each RAC shall be solely advisory in nature. Advice or recommendations of the RAC shall be given only with respect to the purposes of the committee as defined in the Act. All activities of the RAC shall be conducted in an open, transparent and accessible manner.

Each RAC shall,

- a. Review projects proposed under Title II of the Act by participating counties and other entities.
- b. Recommend projects and funding for projects, in accordance with section 203 of the Act, to Secretary, responsible for approving and implementing projects authorized by the Act. Agreement by the majority of members in each of the three membership categories of the RAC is required before recommending projects and funding.
- c. Provide early and continuous coordination with appropriate Forest Service officials in recommending projects authorized under Title II of the Act.
- d. Provide frequent opportunities for Tribal governments, participating county governments, citizens, organizations, land management agencies and other interested parties to participate openly and meaningfully, beginning at the early stages of development of projects authorized under Title II of the Act.
- e. Monitor projects that have been approved under Title II of the Act and advise the Designated Federal Officer on the progress and results of the monitoring efforts.
- f. Make recommendations to the Secretary for any appropriate changes or adjustments to the projects being monitored by the RAC.
- g. Elect by agreement of a simple majority of members, a committee chairperson (or co-chairs) from among the RAC's members. The chair will serve for a term of one year.
- h. By agreement of a simple majority of members, adopt such by-laws, operating guidelines or rules of operation as it deems advisable to perform the duties of the committee, consistent with FACA and other applicable laws and regulations and with the approval of the Designated Federal Officer.

5. **Agency or Official to Whom the Committee Reports**

Each RAC reports its recommendations to the Secretary through the Chief of the Forest Service.

6. **Support**

Administrative support for each Secure Rural Schools RAC will be provided by the Forest Service.

7. **Estimated Annual Operating Costs and Staff Years**

The estimated annual operating expenses and staff support for each RAC are shown in the addendum to this charter.

In accordance with the Act, members of the RAC shall serve without compensation. RAC members and replacements may be allowed travel expenses and per diem for attendance at committee meetings as authorized by 5 U.S.C. 5703 if sufficient funds authorized for such uses are available as determined by the Forest Supervisor responsible for administrative support to the RAC. Reimbursement, if any, will be

consistent with procedures and rates applicable to Forest Service employees in travel status.

8. Designated Federal Officer

A permanent Federal employee is to be appointed in accordance with agency procedures and will serve as the Designated Federal Officer (DFO). The duties of the DFO are to:

- a. Call and convene each meeting of the RAC, including publication of notices of RAC meetings as required by FACA and the Act.
- b. Attend each meeting of the RAC.
- c. Chair RAC meetings in the absence of the RAC's elected chair or co-chair; or when otherwise directed to do so by the Secretary.
- d. Prepare and approve all meeting agendas in coordination with the RAC chair.
- e. Review and approve the RAC's by-laws, operating guidelines or rules of operation.
- f. Maintain RAC records consistent with FACA regulations.
- g. Adjourn any meeting when the DFO determines adjournment to be in the public interest.
- h. Remove inactive members from the RAC.
- i. Call into service as a RAC member an appropriate replacement member who has been vetted, approved and appointed by the Secretary.
- j. Provide information to the RAC about FACA, the Act and other laws, regulations and policies relevant to the RAC's activities and the proposed projects under review by the RAC.
- k. Transmit the recommendations of the RAC to the Secretary, through the Forest Service.

9. Estimated Number and Frequency of Meetings

The RAC will meet as often as necessary to perform its duties, generally one to four times per year, in a location and facility accessible to the public.

RAC meetings will be convened only with the prior approval of the DFO and with an agenda approved by the DFO.

As required by the Act, all meetings of the RAC shall be open to the public. Interested persons may attend meetings, appear before the RAC as time permits, and file written comments with the RAC.

A simple majority of the members from each category of the RAC must be present to constitute an official meeting of the RAC. Attendance may be in-person, by telephone, or other electronic means.

In accordance with FACA regulations, notice of each meeting shall be published in the Federal Register at least 15 days before the meeting. In accordance with the Act, notice of each meeting shall be published in the local newspaper of record at least one week in advance of the meeting. RAC members will be notified personally of the date, time, and place of each meeting.

10. **Duration**

Continuing.

11. **Termination**

In accordance with FACA and departmental regulations this charter will expire two years from the date of filing and may be renewed if authorized by legislation.

12. **Membership and Designation**

Each RAC will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships.

Nominees will be sought through an open and public process that includes, but is not limited to, nominees submitted by tribal governments, county governments, organizations and individuals who represent the interests specified in the Act.

Equal opportunity practices in accordance with United State Department of Agriculture (USDA) policies shall be followed in all appointments to the committee. To help ensure that the recommendations of the RAC have taken into account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals from diverse groups (women, men, racial and ethnic minorities, and persons with disabilities).

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

In accordance with the Act, each RAC shall be comprised of 15 members who provide balanced and broad representation from within each of the following three categories of interests specified in the Act:

- a. Five persons who represent:
 - i. organized labor or non-timber forest product harvester groups;
 - ii. developed outdoor recreation, off-highway vehicle users, or commercial recreation activities;
 - iii. energy and mineral development, or commercial or recreational fishing interests;
 - iv. commercial timber industry; or
 - v. Federal grazing permits or other land use permit holders or represent non-industrial private forest land owners within the area for which the committee is organized.
- b. Five persons who represent
 - i. nationally recognized environmental organizations;
 - ii. regionally or locally recognized environmental organizations;
 - iii. dispersed recreational activities;
 - iv. archaeological and historical interests; or
 - v. nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.
- c. Five persons who represent:
 - i. state elected office (or a designee);
 - ii. county or local elected office;
 - iii. American Indian tribes;
 - iv. area school officials or teachers; or
 - v. affected public-at-large.

Members shall reside within the State(s) in which the RAC has jurisdiction. To the extent practical, the membership of each of the three categories will include local representation.

In accordance with the Act, members and replacements are appointed to four-year terms or reappointed for an additional two years. The term begins on the date of the Secretary's decision to appoint the member or replacement.

The Secretary may appoint a replacement for each of the three membership categories who may serve on the RAC in the event a vacancy arises.

If an appropriate replacement is not available, nominees will be sought through an open and public process and submitted to the Secretary for vetting, approval and appointment.

12a. **Ethics**

To maintain the highest levels of honesty, integrity and ethical conduct, no Resource Advisory Committee (RAC) or subcommittee member shall participate in any “specific party matters” (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for RAC or Subcommittee members to immediately disclose to the DFO (for discussion with USDA’s Office of Ethics) any specific party matter in which the member’s immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the RAC’s recommendations. Members of the RAC shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims, grants, or agreements that involve lands or resources administered by the Forest Service, or in any litigation related thereto. For purposes of this paragraph, indirect interest includes holdings of a spouse or a dependent child.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the RAC’s advice and recommendations. Members who are appointed as “Representatives” are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as “Special Government Employees” (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGEs are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

13. **Subcommittees**

The RAC may create and operate subcommittees as deemed necessary by a simple majority of the RAC members and approved by the DFO. Subcommittees may only conduct preliminary staff work to inform the deliberations of the full RAC; decisions and recommendations may be made only by the parent RAC. Subcommittees must report back to the parent RAC, and must not provide advice, recommendations or work products directly to the Forest Service. Subcommittee activities, advice and work products must be reported in the minutes or other public records of the full RAC.

14. **Recordkeeping**

The records of each RAC, formally and informally established subcommittees, or other subgroups of the RAC, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about each RAC is available online at

https://fsplaces.fs.fed.us/fsfiles/unit/wo/secure_rural_schools.nsf

Information related to specific project proposals reviewed and recommended by each RAC shall be reported in the Forest Service Secure Rural Schools RAC data base.

15. **Filing Date**

June 10, 2014